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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Civil No. 07cv2176-BTM(LSP)
)	
Plaintiff,)	ORDER FOR JUDGMENT
)	OF FORFEITURE
v.)	
)	
ONE 2005 FORD F250 TRUCK,)	
CA LICENSE NO. 2606DDP,)	
VIN 1FTSW21P25EB71258,)	
ITS TOOLS AND APPURTENANCES,)	
)	
Defendant.)	
_____)	

Having reviewed the foregoing Stipulation and good cause appearing therefor,
IT IS HEREBY ORDERED, ADJUDGED and DECREED:
The Motion for Judgment of Forfeiture is GRANTED.

1. Claimant Susan M. Earnhart (“Claimant”) will pay \$10,000.00 to the United States in return for the Defendant Vehicle. Upon Claimant’s payment of \$10,000.00 in the form of a cashier’s check made payable to the United States Marshals Service, the Defendant Vehicle shall be returned to Claimant. The \$10,000.00 paid by Claimant is hereby forfeited and condemned to the United States pursuant to Title 21, United States Code, Section 881. Judgment is entered in favor of the United States on its complaint.
2. Claimant Susan M. Earnhart, Bryan D. Earnhart and Richard Earnhart have warranted and represented as a material fact that there are no other owners of the Defendant Vehicle, and further warranted that no other person or entity has any right, claim or interest in the

1 Defendant Vehicle. Claimant is ordered to defend and indemnify the United States against any and
2 all claims made against it on account of the seizure and forfeiture of the Defendant Vehicle.

3 3. Costs incurred by the United States incident to the seizure and custody of the
4 Defendant Vehicle shall be the first charge against the \$10,000.00 paid by Claimant for return of
5 the Defendant Vehicle.

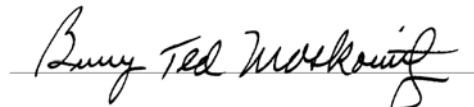
6 4. The person or persons who made the seizure or the prosecutor shall not be liable
7 to suit or judgment on account of such seizure in accordance with Title 28, United States Code,
8 Section 2465. Claimant has not "substantially prevailed" within the meaning of 28 U.S.C. § 2465.
9 Each party shall bear its own costs and expenses, including attorney fees.

10 5. The Claimant, her agents, employees, or assigns, shall hold and save harmless the
11 United States of America, its agents and employees, from any and all claims which might result
12 from the seizure of the Defendant Vehicle.

13 6. Following the receipt of \$10,000.00 by the United States and return of the
14 Defendant Vehicle to Claimant as described above, the case shall be closed.

15 Let judgment be entered accordingly.

16 DATED: December 12, 2007

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18 Honorable Barry Ted Moskowitz
19 United States District Judge
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